

PATENT**REMARKS**

Applicant has cancelled claims 34-46 and added claims 47-66. Therefore, claims 47-66 are pending in the present application, of which claims 47, 52, and 61 are independent. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

I. CLAIM OBJECTIONS

The Examiner objected to claims 1-12 as being incorrectly numbered. The Examiner re-numbered the claims as claims 34-46. Applicant has cancelled claims 34-46 and thus the objection is now moot.

II. REJECTION UNDER 35 U.S.C. §102

The Examiner rejected claims 34 - 46 under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 6,449,246 issued to Barton (hereinafter "246"). Claims 34 - 46 have been cancelled and, thus, the rejection is respectfully traversed in its entirety.

III. NEW CLAIMS

New claim 47 recites, amongst other things, "a second processor configured to process each detected symbol stream to provide a corresponding decoded data stream and to determine a received signal-to-noise-and-interference ratio (SNR) and an effective SNR for each of the plurality of data streams based on the received SNR." The '246 patent does not disclose determining "a received signal-to-noise-and-interference ratio (SNR) and an effective SNR for each of the plurality of data streams based on the received SNR," as recited in claim 47. Therefore, for at least this reason, claim 47 is allowable.

Claims 48-51 depend from claim 47 and are allowable for at least this reason.

New claim 52 recites, amongst other things, "comparing the required channel state information parameter for each data stream against information indicative of the channel state information parameter for the data stream." The '246 patent does not disclose this comparison. Therefore, for at least this reason, claim 52 is allowable.

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Claims 53-60 depend from claim 52 and are allowable for at least this reason.

New claim 61 recites, amongst other things, "means for comparing the required channel state information parameter for each data stream against information indicative of the channel state information parameter for the data stream." The '246 patent does not disclose this comparison. Therefore, for at least this reason, claim 61 is allowable.

Claims 62-66 depend from claim 61 and are allowable for at least this reason.

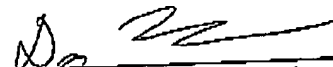
REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By:



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